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6 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 MYCHAL OWENS,

9 Plaintiff,

10 v.

11 JOHN DOE, et al.,

12 Defendants.

CASE NO. C17-1027-JCC-BAT

**ORDER GRANTING MOTION FOR
EXTENSION OF TIME TO
COMPLETE DISCOVERY AND
DENYING MOTION TO APPOINT
OF COUNSEL**

13 Plaintiff Mychal Owens has filed a motion for extension of time to complete discovery
14 (Dkt. 21) and a motion to appoint counsel (Dkt. 22). For the following reasons, the Court
15 **GRANTS** the motion for extension of time and **DENIES** the motion to appoint counsel.

16 EXTENSION OF TIME TO COMPLETE DISCOVERY

17 Previously, the Court granted Mr. Owens a 30-day extension of time, from December 10,
18 2017, to January 9, 2018, to complete discovery because he was being transferred to another
19 institution and would not have access to his legal materials during the transfer. Dkt. 17, 20. Mr.
20 Owens now requests an additional extension of time, stating that he has not received his legal
21 materials at his new facility. Dkt. 21. Defendants have responded stating that they do not oppose
22 an extension of time for 30 days. Dkt. 24. The Court **GRANTS** the motion (Dkt. 21) and
23 **ORDERS** as follows:

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1 1. The deadline to complete discovery is extended from January 9, 2018 to
2 **February 8, 2018.**

3 2. The deadline to file and serve dispositive motions is extended from February 8,
4 2018 to **March 12, 2018.**

5 MOTION TO APPOINT COUNSEL

6 The Court previously denied Mr. Owens's two motions to appoint counsel without
7 prejudice. Dkt. 15. Mr. Owens has renewed his request for appointment of counsel. Dkt. 22. As
8 the Court noted before, generally, a person has no right to counsel in a civil action. *See Campbell*
9 *v. Burt*, 141 F.3d 927, 931 (9th Cir. 1998). The Court may appoint counsel for indigent civil
10 litigants under 28 U.S.C. § 1915(e)(1), but only under "exceptional circumstances." *Agyeman v.*
11 *Corrections Corp. of Am.*, 390 F.3d 1101, 1103 (9th Cir. 2004). When determining whether
12 "exceptional circumstances" exist, the Court considers "the likelihood of success on the merits as
13 well as the ability of the [plaintiff] to articulate his claims pro se in light of the complexity of the
14 legal issues involved." *Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983). The Court finds
15 that, as with his first two requests, Mr. Owens has not presented exceptional circumstances that
16 would justify the appointment of counsel at this early stage of the litigation. Accordingly, the
17 Court **DENIES** Mr. Owens's motion to appoint counsel (Dkt. 22) **without prejudice.**

18 The Clerk shall send a copy of this Order to Mr. Owens.

19 DATED this 18th day of December, 2017.

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23 BRIAN A. TSUCHIDA
 United States Magistrate Judge